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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **(SAN JOSE DIVISION)**

13 In re: HP INKJET PRINTER
14 LITIGATION,

Master File No. C05-3580 JF

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16 This Document Relates To:
17 All Actions
18
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**JOINT STATUS REPORT AND
STIPULATION RE PROPOSED PLAN FOR
FILING SETTLEMENT PAPERS AND
MOTION FOR PRELIMINARY
APPROVAL OF CLASS SETTLEMENT;
DECLARATION OF SAMUEL G.
LIVERSIDGE**

1 WHEREAS, the parties have reached an agreement in principle to settle this action as well as
2 two other actions against Hewlett-Packard Company pending before this Court: *Rich v. Hewlett-*
3 *Packard Company*, Case No. C06-03361-JF, and *Blennis v. Hewlett-Packard Company*, Case No.
4 C07-00333-JF;

5 WHEREAS, on April 5, 2010, the parties filed a Stipulation in which they proposed to file by
6 June 4, 2010, a written settlement agreement and a motion for preliminary approval of class
7 settlement or, if the parties were unable to complete and file a written settlement agreement and a
8 motion for preliminary approval of class settlement by June 4, 2010, a joint status report in lieu of
9 those documents;

10 WHEREAS, with negotiations ongoing, on June 3, 2010 the parties filed a Stipulation in
11 which they proposed to file, by July 9, 2010, a written settlement agreement and a motion for
12 preliminary approval of class settlement or, if the parties were unable to complete and file a written
13 settlement agreement and a motion for preliminary approval of class settlement by July 9, 2010, a
14 joint status report in lieu of those documents;

15 WHEREAS, the parties have made substantial progress in negotiating the specific terms of a
16 written settlement agreement and drafting that written agreement, and request additional time to try to
17 finalize that written agreement and supporting papers (including the motion for preliminary approval,
18 a proposed order granting that motion, the long and short-form notices to putative settlement class
19 members, and other documents relating to the administration of the proposed settlement);

20 WHEREAS, the parties propose to submit a written settlement agreement and a motion for
21 preliminary approval of class settlement by July 30, 2010; and

22 WHEREAS, a declaration of counsel providing the information required by Local Civil Rule
23 6-2 follows this stipulation.

24 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the
25 undersigned counsel that (1) the parties will make a good faith effort to file a written settlement
26 agreement and a motion for preliminary approval of class settlement with the Court by July 30, 2010,
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1 and (2) if the parties are unable to complete and file these documents by July 30, 2010, a joint status
2 report will be filed in lieu of these documents.

3 **IT IS SO STIPULATED.**

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5 Dated: July 9, 2010

6 COTCHETT, PITRE & McCARTHY
7 McNICHOLAS & McNICHOLAS, LLP
8 SEEGER WEISS, LLP

9 /s/ Niall P. McCarthy*
10 Niall P. McCarthy

11 *Co-Lead Counsel for Plaintiffs and the Class*

12 Brian S. Kabateck
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28 Dated: July 9, 2010

GIBSON, DUNN & CRUTCHER LLP

/s/ Samuel G. Liversidge*
Samuel G. Liversidge

Attorneys for Defendant Hewlett-Packard Company

*I hereby attest that I have on file all holograph
signatures for any signatures indicated by a
“conformed” signature (/s/) within this efiled
document.

DECLARATION OF SAMUEL G. LIVERSIDGE
IN SUPPORT OF THE JOINT STIPULATION

I, Samuel G. Liversidge, declare as follows:

1. I am an attorney duly admitted to practice law in the State of California and in this Court. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, and one of the counsel of record for Hewlett-Packard Company ("HP") in this case. I have personal knowledge of the facts set forth below, and if called upon to testify, I could and would competently testify to them. I make this declaration in support of the parties' Joint Status Report and Stipulation re Proposed Plan For Filing Settlement Papers and Motion for Preliminary Approval Of Class Settlement.

2. The parties have reached an agreement in principle to settle this action as well as two other actions against HP pending before this Court: *Rich v. Hewlett-Packard Company*, Case No. C06-03361-JF, and *Blennis v. Hewlett-Packard Company*, Case No. C07-00333-JF.

3. The parties are in the process of finalizing a written settlement agreement to memorialize the specific terms of the settlement, and they propose to submit a written settlement agreement and a motion for preliminary approval of class settlement by July 30, 2010.

4. The parties will make a good faith effort to file a written settlement agreement and a motion for preliminary approval of class settlement by July 30, 2010. If the parties, however, are unable to complete and file these documents by July 30, 2010, a joint status report will be filed in lieu of these documents if the Court so orders.

5. My understanding is that the pre-existing briefing deadlines and other dates scheduled in this matter have been taken off calendar, so granting this stipulation does not affect any existing deadlines or hearing dates.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed in Los Angeles, California on July 9, 2010.

/s/ Samuel G. Liversidge*
Samuel G. Liversidge